

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

UNITED STATES OF AMERICA

CASE NUMBER 01-CR-10001

VS.

JUDGE DRELL

RICKEY TONEY

MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED THAT defendant's Motion to Modify Sentence [doc. 45] be **DENIED** and **DISMISSED WITH PREJUDICE** as this court lacks jurisdiction to consider the motion.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana, on this 5TH day of FEBRUARY, 2007.

[Signature]
DEE D. DRELL
UNITED STATES DISTRICT JUDGE